

United States District Court

WESTERN DISTRICT OF WASHINGTON

ROBERT SMITH, JR.

JUDGMENT IN A CIVIL CASE

v.

R. ROBERTS, et al.

CASE NUMBER: C06-5635RJB

 Jury Verdict. This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

 X **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

The Court ADOPTS the Report and Recommendation, Dkt #32. This action is DISMISSED for failure to state a claim. This dismissal constitutes a strike for purposes of 28 U.S.C. sec. 1915(g).

July 12, 2007

BRUCE RIFKIN
Clerk

/s/Dara L. Kaleel
By Dara L. Kaleel, Deputy Clerk